

PSJ3
Exhibit 496

Message

From: Julie Khani [JKhani@NACDS.org]
Sent: 7/3/2012 6:13:28 PM
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Subject: NACDS Policy Council Call 7/6/12 @ 11am Eastern
Attachments: NACDS Policy Statement Drug Diversion DRAFT.doc

We will have a Policy Council call this week. Please see agenda, call in number and other materials. Thanks!

Julie

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265044

AGENDA

Upcoming Executive Committee Call (Carol)
Supreme Court Decision (Don)
DEA - Commission Option (Carol, Kevin)
DEA Policy Paper (Carol, Kevin)

DEA – Commission/Advisory Group Option

We have had some very good meetings with Committee staff for Upton and Harkin. They both want to help us with the DEA problems and want to legislate or otherwise create some form of commission or advisory group to bring all the parties to the table and address the problems with DEA actions. While the activities of the group would probably be broad in scope, one output would be reasonable DEA guidelines for action in enforcement of drug abuse/diversion matters. If we move quickly, we may be able to have the language included in the countermeasures legislation.

We believe that participants should be DEA, FDA, ONDCP, CMS, patient groups, pharmacy groups, prescriber and other provider groups, prescription drug wholesaler groups, public policy experts, state attorneys general, and law enforcement officials including groups representing local law enforcement.

Although we are still working through potential conveners of this group, possibilities include:

- FACA compliant advisory committee to HHS, and legislate who participates to include DEA
- Think Tank, e.g., Brookings, RAND, overseen by HHS
- Public/private advisory body that Congress can direct federal agencies to work with (similar to NQF)
- Congressional Advisory Body: for more info on this, please see <http://www.fas.org/sqp/crs/misc/RL33313.pdf>

The policy areas that we would have the group review include:

- A system for prescription drug monitoring that avoids duplication and provides access to stakeholders that need the prescription monitoring data
- Shutting down illegal Internet prescription drug sites
- Shutting down “pill mills”
- Facilitating proper disposal of prescription drugs through take back programs
- Identifying hot spots of prescription drug abuse
- Better collaboration among federal agencies, especially FDA and DEA, on drug diversion issues to suggest guidelines for DEA action
- More resources for law enforcement
- Better education of providers, patients, parents and youth
- Development of abuse-resistant products
- Recommendations for reducing robberies, burglaries, and cargo theft
- The recommendations should be broken down by state and federal recommendations with respect to what is appropriate federally versus the individual states

This process should have an end date, which should be recommendations to Congress within one year of enactment.

We would like the outcome of this process to yield recommendations for addressing the problem of prescription drug abuse. Most importantly, this would include an agreement from stakeholders, including DEA, to support this collaborative result. Congress could use this agreement to hold DEA accountable if DEA starts going after pharmacies and wholesalers again.

DEA Policy Paper: NACDS drafted the attached Policy Statement on Combating Prescription Drug Diversion and Abuse, for use in our advocacy work. It describes chain pharmacy initiatives, and support for initiatives, that combat prescription drug diversion while considering the needs of healthcare providers to provide care to legitimate patients. Please review in advance of Friday’s call.